

# SENATE . . . . . No. 749

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## The Commonwealth of Massachusetts

PRESENTED BY:

**Karen E. Spilka**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act creating a jail diversion program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	Second Middlesex and Norfolk
Elizabeth A. Malia	11th Suffolk
Ruth B. Balser	12th Middlesex
Mary E. Grant	6th Essex
Barbara A. L'Italien	18th Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01130 OF 2007-2008.]

## **The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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### **AN ACT CREATING A JAIL DIVERSION PROGRAM.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1       SECTION 1. Chapter 19 of the General Laws, as appearing in the 2006 Official Edition,  
2       are hereby amended by inserting after section 21 the following section:-

3       Section 22. Subject to appropriation, the commissioner shall establish a jail diversion program.

4       Such program shall provide opportunities to divert individuals with mental illness out of the  
5       criminal justice system and into community based mental health and substance abuse services  
6       where such diversion is clinically appropriate and consistent with public safety. This program  
7       shall establish, monitor and evaluate pilot projects and ongoing programs in cities, towns or  
8       regions of the commonwealth, as determined by the commissioner, taking into consideration  
9       available resources and need, using promising or established program designs for effectuating  
10      clinically appropriate, safe and effective diversion of such individuals.